

REMARKS

The present application stands finally rejected, as set forth in the Office Action of November 4, 2004, and is pending before the BPAI. Applicant-Assignee files this Request for Continued Examination (RCE), thereby automatically withdrawing the application from the BPAI and reopening prosecution on the merits before the Examiner under 37 CFR 1.114(d).

In conjunction with this RCE, Applicant-Assignee also presents the amendments shown above and requests consideration of the following remarks. With the present amendments, Applicant-Assignee has canceled claims 1-26 and seeks examination of new claims 27-46.

Of the new claims, claims 27, 38, and 42 are independent and each recites a method for vacuum-packaging a single disposable diaper to yield a single individually packaged disposable diaper that is compact and portable. Each of these claims is related to now canceled claim 16, which recited a method for packaging of an absorbent article to yield a single individually packaged absorbent article that is compact and portable. In particular, Applicant-Assignee respectfully submits that each of the new independent claims generally represents the combination of now canceled claims 16, 19, and 20.

With respect to further prosecution of the present application, Applicant-Assignee points out that each independent claim now presented recites, *inter alia*, a “method for vacuum-packaging a single disposable diaper” and, further, that the disposable diaper is maintained in a compressed condition by “creating a negative pressure within the interior space” and “hermetically sealing the diaper at the negative pressure within the interior space of the flexible material such that a pressure differential acts upon the flexible material to maintain the disposable diaper in the compressed condition.” The negative pressure is a pressure less than atmosphere that results from vacuum-packaging and that exists within the interior space of the hermetically sealed, flexible material. It is this negative pressure from which results the pressure differential that acts across the bag to maintain the diaper in the compressed condition.

The primary reference of the Final Office Action of November 4, 2004 (Meixner USPN 6,321,513) fails to disclose or suggest vacuum-packaging of a single, disposable diaper. As such, Applicant-Assignee submits that the claims now presented traverse the basis for rejection set forth in the Final Office Action and that, consequently, this Amendment filed with the RCE is fully responsive to that Final Office Action.

Finally, Applicant-Assignee notes that the current application has been acquired from the original inventor by Diaperooos, LLC. In compliance with its duty of disclosure, Applicant-Assignee intends to soon file an information disclosure statement in good time before the present application is taken up again by the Examiner for further consideration.

Applicant-Assignee believes that all independent claims as now presented stand in condition for allowance. Each of the dependent claims likewise is submitted to stand in condition for allowance based on its dependency from an allowable independent claim and, separately, based on the limitations recited therein.

Respectfully submitted,
Tillman Wright, PLLC

/Chad D. Tillman/
Chad D. Tillman
Reg. No. 38,634

Tel: (704) 248-6292
Fax: (877) 248-5100

PO Box 471581
Charlotte, NC 28247